
Public Notice

Applicant:

Daniel Messmer

Date:

Published: April 17, 2002

~~Expires: May 16, 2002~~

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-CO-R RE: 2002-00957(0) Section: OH 10 and 404

**Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Daniel P. and Lori J. Messmer, 6464 Bale Kenyon Road, Lewis Center, Ohio 43035, have requested a Department of the Army (DA) permit to place rock and earth fill into Lake Erie for the construction of a 50 linear foot steel crib bulkhead/dock. The proposed project is located at Sublot 12 Bechstein Lane, Middle Bass Island, Ottawa County, Ohio.

Department of the Army authorization is required to place 28 cubic yards of concrete and stone rubble and 45 cubic yards of earth fill below the plane of ordinary high water of Lake Erie (573.4 feet International Great Lakes Datum 1985) (OHW).

The project will consist of the following:

A new steel crib bulkhead will be constructed along 50 linear feet of shoreline. This crib will extend toward and tie into the existing shoreline. The final plan view of this crib will be U-shaped with the top of the "U" tied into the shoreline. The center of the "U" will be backfilled with 110 cubic yards (45 cubic yards below OHW) of earth fill to match the top elevation of the proposed crib structure. The crib itself will be filled with 85 cubic yards (28 cubic yards below OHW) of stone and concrete rubble. The finished project will extend 25 linear feet into Lake Erie from the existing ordinary high water elevation.

The applicant's stated purposed for this project is to provide erosion protection to the shoreline of the property and provide lake access for boats and people. The bulkhead will also provide a greatly improved habitat area for the Lake Erie water snake.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Martin P. Wargo, who can be contacted by calling (716) 879-4116, or by e-mail at: martin.p.wargo@usace.army.mil

The applicant has certified that the proposed activity complies with Ohio's approved Coastal Zone Management Program and

will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with Ohio's Coastal Zone Management Program should be forwarded to:

Ms. Kim Baker
Ohio Department of Natural Resources
1952 Belcher Drive
Building C-2, Fountain Square
Columbus, Ohio 43224-1386
Telephone (614) 265-6411
FAX (614) 267-2981
e-mail: kim.baker@dnr.state.oh.us

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Martin P. Wargo, or by e-mail at: martin.p.wargo@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

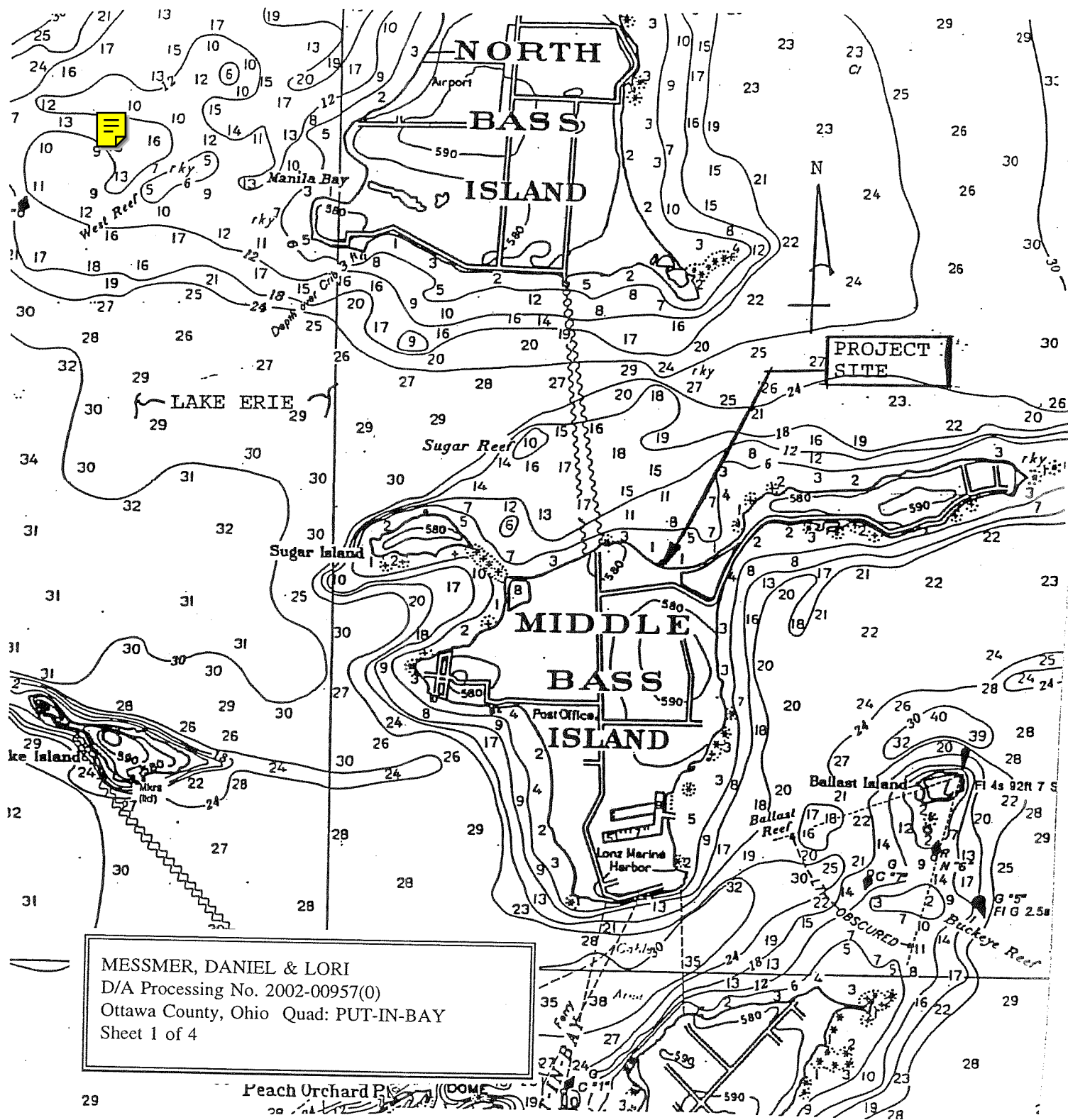
Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



DATUM: 0.0 L.W.D. = 569.2 FT. I.G.L.D.

VICINITY MAP

PREPARED BY

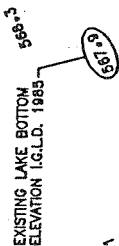
MATRIX ENGINEERING, INC.

- 1.) LAWRENCE FAMILY LTD.
 2.) CARL DILL & JUDY BLY

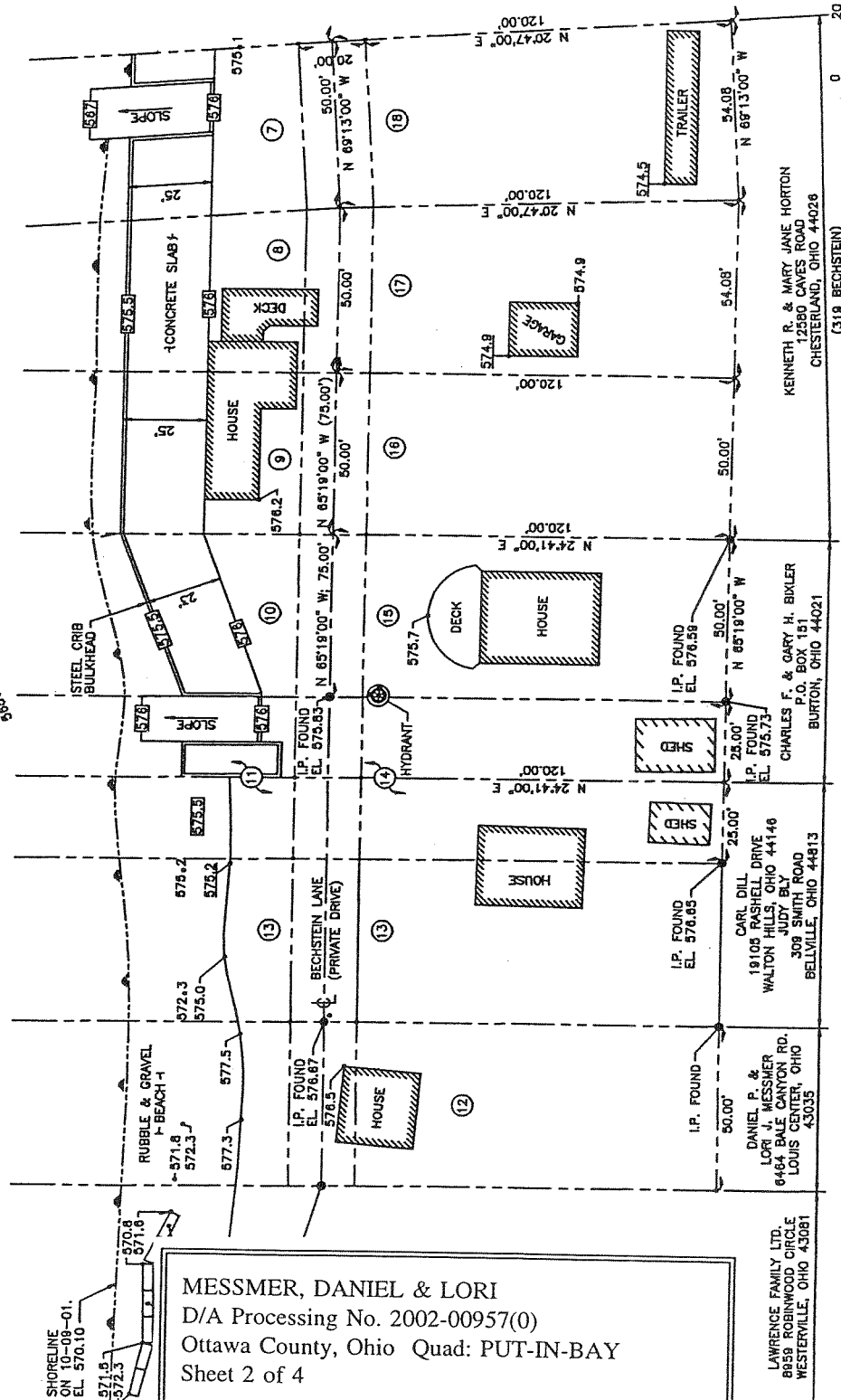
DANIEL P. & LORI J. MESSMER
 6464 BALE CANYON ROAD
 LOUIS CENTER, OHIO 43035

NEW STEEL CRIB BULKHEAD AT
 SUBLOT 12 ON BECHSTEIN LANE,
 MIDDLE BASS ISLAND, OHIO

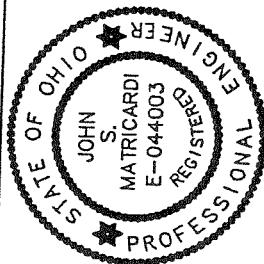
SHEET 1 OF 4 REV. DATE 02-20-02



LAKE ERIE Z



SCALE IN FEET
EXISTING SITE PLAN
SCALE: 1" = 20'



PREPARED BY:
MATRIX ENGINEERING, INC.

NEW STEEL CRIB BULKHEAD AT
SUBLOT 12 ON BECHSTEIN LANE
MIDDLE BASS ISLAND, OHIO

SHEET 2 OF 4 REV 02-20-02

EXISTING SITE PLAN

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DATUM: 0.0 L.W.D. = 569.2 FT. I.G.L.D.

ADJACENT PROPERTY OWNERS:

- 1.) LAWRENCE FAMILY LTD.
- 2.) CARL DILL & JUDY BLY

MESSMER, DANIEL & LORI
D/A Processing No. 2002-00957(0)
Ottawa County, Ohio Quad: PUT-IN-BAY
Sheet 3 of 4



MATRIX ENGINEERING, INC.

NEW STEEL CRIB BULKHEAD AT
SUBLOT 12 ON BECHSTEIN LANE
MIDDLE BASS ISLAND, OHIO

SHEET 3 OF 4 DATE 02-20-02

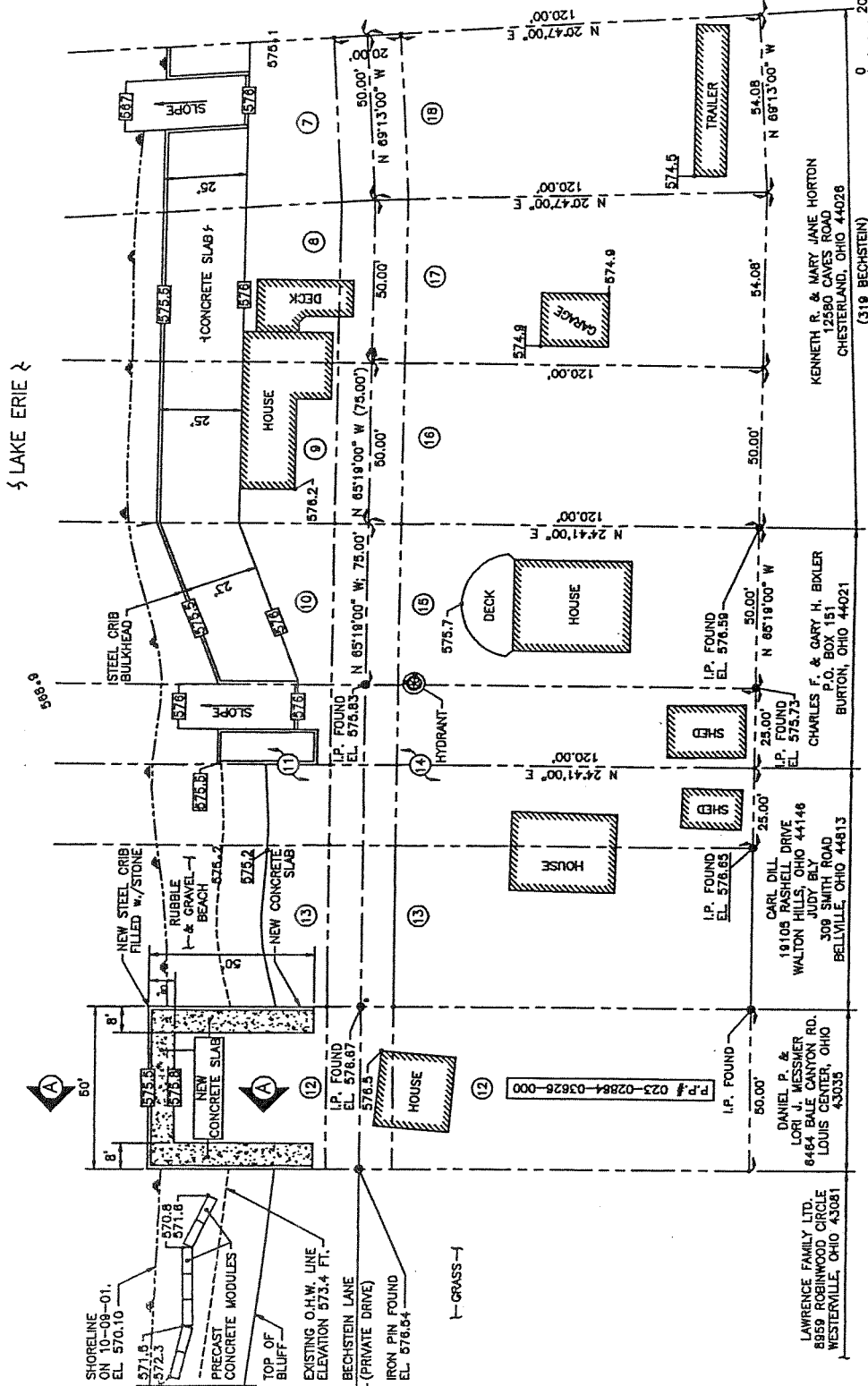
SITE PLAN

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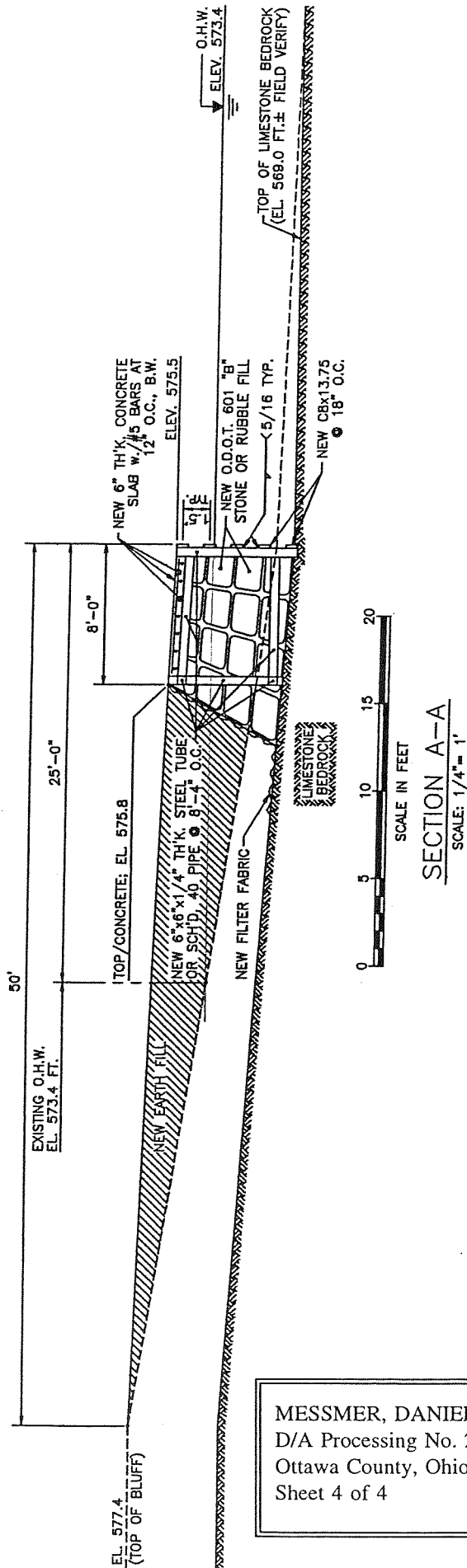
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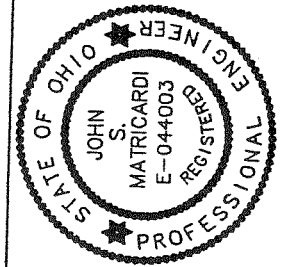


SCALE IN FEET
SITE PLAN
SCALE: 1" = 20'

(310 BECHSTEIN)



MESSMER, DANIEL & LORI
D/A Processing No. 2002-00957(0)
Ottawa County, Ohio Quad: PUT-IN-BAY
Sheet 4 of 4



PROPOSED BY:
MATRIX ENGINEERING, INC.
NEW STEEL CRIB BULKHEAD AT
SUBLOT 12 ON BECHSTEIN LANE
MIDDLE BASS ISLAND, OHIO
SHEET 4 OF 4 02-20-02

SECTION A-A
DANIEL P. & LORI J. MESSMER
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